



**[4910-13]**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

**[Docket No. FAA-2019-0549; Airspace Docket No. 19-AGL-22]**

**RIN 2120-AA66**

**Amendment of Class D and E Airspace; Alpena, MI**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action amends the Class D airspace, the Class E surface airspace, the Class E airspace designated as an extension to Class D and Class E surface airspace, and the Class E airspace extending upward from 700 feet above the surface at Alpena County Regional Airport, Alpena, MI. This action is due to an airspace review caused by the decommissioning of the Au Sable VHF omnidirectional range (VOR) navigation aid, which provided navigation information for the instrument procedures at this airport, as part of the VOR Minimum Operational Network (MON) Program. The name of MidMichigan Medical Center-Alpena, Alpena MI, is also being updated to coincide with the FAA's aeronautical database. Airspace redesign is necessary for the safety and management of instrument flight rules (IFR) operations at this airport.

**DATES:** Effective 0901 UTC, March 26, 2020. The Director of the Federal Register approves this incorporation by reference action under Title 1 Code of Federal Regulations part 51, subject to the annual revision of FAA Order 7400.11 and publication of conforming amendments.

**ADDRESSES:** FAA Order 7400.11D, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at [https://www.faa.gov/air\\_traffic/publications/](https://www.faa.gov/air_traffic/publications/).

For further information, you can contact the Airspace Policy Group, Federal Aviation

Administration, 800 Independence Avenue, SW, Washington, DC 20591; telephone: (202) 267-8783. The Order is also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.11D at NARA, email [fedreg.legal@nara.gov](mailto:fedreg.legal@nara.gov) or go to <https://www.archives.gov/federal-register/cfr/ibr-locations.html>.

**FOR FURTHER INFORMATION CONTACT:** Jeffrey Claypool, Federal Aviation Administration, Operations Support Group, Central Service Center, 10101 Hillwood Parkway, Fort Worth, TX 76177; telephone (817) 222-5711.

**SUPPLEMENTARY INFORMATION:**

**Authority for this Rulemaking**

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it amends the Class D airspace, the Class E surface airspace, the Class E airspace designated as an extension to Class D and Class E surface airspace, and the Class E airspace extending upward from 700 feet above the surface at Alpena County Regional Airport, Alpena, MI, to support IFR operations at this airport.

**History**

The FAA published a notice of proposed rulemaking in the FEDERAL REGISTER (84 FR 35047; July 22, 2019) for Docket No. FAA-2019-0549 to amend the Class D airspace, the Class E surface airspace, the Class E airspace designated as an extension to Class D and Class E

surface airspace, and the Class E airspace extending upward from 700 feet above the surface at Alpena County Regional Airport, Alpena, MI. Interested parties were invited to participate in this rulemaking effort by submitting written comments on the proposal to the FAA. No comments were received.

Class D and E airspace designations are published in paragraph 5000, 6002, 6004, and 6005, respectively, of FAA Order 7400.11D, dated August 8, 2019, and effective September 15, 2019, which is incorporated by reference in 14 CFR 71.1. The Class D and E airspace designations listed in this document will be published subsequently in the Order.

FAA Order 7400.11, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

### **Availability and Summary of Documents for Incorporation by Reference**

This document amends FAA Order 7400.11D, Airspace Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019. FAA Order 7400.11D is publicly available as listed in the ADDRESSES section of this document. FAA Order 7400.11D lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

### **The Rule**

This amendment to Title 14 Code of Federal Regulations (14 CFR) part 71:

Amends the Class D airspace to within a 4.3-mile radius (decreased from a 4.4-mile radius) of Alpena County Regional Airport, Alpena, MI; and updates the outdated term “Airport/Facility Directory” with “Chart Supplement”;

Amends the Class E surface airspace to within a 4.3-mile radius (decreased from a 4.4-mile radius) of Alpena County Regional Airport; adds a 3,200 MSL altitude limit to the airspace legal description; removes the Alpena VORTAC and associated extensions from the airspace legal description; and updates the outdated term “Airport/Facility Directory” with “Chart

Supplement”;

Amends the Class E airspace designated as an extension to Class D and Class E surface areas at Alpena County Regional Airport by amending the extension to the north to within 4.8 mile west and 3 miles east of the Alpena VORTAC 355° radial extending from the 4.3 mile radius of the Alpena County Regional Airport to 7 miles north of the Alpena VORTAC; and removes the extension to the south from the airspace legal description as it is no longer needed;

And amends the Class E airspace extending upward from 700 feet above the surface to within a 6.8-mile radius (decreased from a 7-mile radius) of the Alpena County Regional Airport; removes the FELPS NDB and the associated extension from the airspace legal description; adds an extension 10 miles west and 6 miles east of the Alpena VORTAC 355° radial extending from the 6.8-mile radius of the Alpena County Regional Airport to 10 miles north of the Alpena VORTAC; adds an extension 3.9 miles each side of the Alpena VORTAC 194° radial extending from the 6.8-mile radius of the Alpena County Regional Airport to 14.3 miles south of the Alpena VORTAC; and updates the name of MidMichigan Medical Center-Alpena, Alpena, MI (previously Alpena General Hospital), to coincide with the FAA’s aeronautical database.

This action is necessary due to an airspace review caused by the decommissioning of the Au Sable VOR, which provided navigation information for the instrument procedures at these airports, as part of the VOR MON Program.

### **Regulatory Notices and Analyses**

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866;

(2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a regulatory evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### **Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures," paragraph 5-6.5.a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

### **Lists of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (air).

### **Adoption of the Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR part 71 as follows:

### **PART 71 --DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

1. The authority citation for part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

#### **§ 71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.11D, Airspace

Designations and Reporting Points, dated August 8, 2019, and effective September 15, 2019, is amended as follows:

Paragraph 5000. Class D Airspace.

\* \* \* \* \*

**AGL MI D Alpena, MI [Amended]**

Alpena County Regional Airport, MI  
(lat. 45°04'41"N., long. 83°33'37"W.)

That airspace extending upward from the surface to and including 3,200 feet MSL within a 4.3-mile radius of Alpena County Regional Airport. This Class D airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

Paragraph 6002. Class E Airspace Areas Designated as a Surface Area.

\* \* \* \* \*

**AGL MI E2 Alpena, MI [Amended]**

Alpena County Regional Airport, MI  
(lat. 45°04'41"N., long. 83°33'37"W.)

That airspace extending upward from the surface to and including 3,200 feet MSL within a 4.3-mile radius of Alpena County Regional Airport. This Class E airspace area is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Chart Supplement.

Paragraph 6004. Class E Airspace Areas Designated as an Extension to a Class D or Class E Surface Area.

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**AGL MI E4 Alpena, MI [Amended]**

Alpena County Regional Airport, MI  
(lat. 45°04'41" N., long. 83°33'37" W.)  
Alpena VORTAC  
(lat. 45°04'58" N., long. 83°33'25" W.)

That airspace extending upward from the surface within 4.8 miles west and 3 miles east of the Alpena VORTAC 355° radial extending from the 4.3-mile radius of the Alpena County Regional Airport to 7 miles north of the Alpena VORTAC.

Paragraph 6005. Class E Airspace Areas Extending Upward from 700 feet or More Above the Surface of the Earth.

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**AGL MI E5 Alpena, MI [Amended]**

Alpena County Regional Airport, MI

(lat. 45°04'41"N., long. 83°33'37"W.)

Alpena VORTAC

(lat. 45°04'58"N., long. 83°33'25"W.)

MidMichigan Medical Center-Alpena, MI, Point in Space Coordinates

(lat. 45°04'38"N., long. 83°26'53"W.)

That airspace extending upward from 700 feet above the surface within a 6.8-mile radius of Alpena County Regional Airport, and within 10 miles west and 6 miles east of the Alpena VORTAC 355° radial extending from the 6.8-mile radius of Alpena County Regional Airport to 10 miles north of the Alpena VORTAC, and within 3.9 miles each side of the Alpena VORTAC 194° radial extending from the 6.8-mile radius of the Alpena County Regional Airport to 14.3 miles from the Alpena VORTAC, and within a 6-mile radius of the Point in Space serving MidMichigan Medical Center-Alpena.

Issued in Fort Worth, Texas, on December 4, 2019.

Steve Szukala,

Acting Manager, Operations Support Group,

ATO Central Service Center.

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